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October 21, 2019

BY ECF

Honorable Nicholas G. Garaufis
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Clarke v. New York Dep't of Educ., et al.*,
18 Civ. 01850 (NGG) (JO)
Our No. 2018-024415

Dear Judge Garaufis:

I am an Assistant Corporation Counsel in the office of Georgia Pestana, Acting Corporation Counsel of the City of New York, attorney for defendants in the above-referenced action. Defendants respectfully submit this letter regarding the filing of their reply to plaintiff's opposition to defendants' motion for summary judgment. *See* ECF Dkt. Entry Nos. 45 and 46.

Pursuant to the Court's October 15, 2019 order, and Rule III(B)(2) of Your Honor's Individual Rules, defendants were to electronically file their reply to plaintiff's opposition and the remainder of both parties' papers concerning defendants' motion for summary judgment by October 18, 2019. *See* ECF Dkt. Entry No. 38. I was able to file defendants' motion and plaintiff's opposition papers on October 18, 2019, however an apparent "internal error" on the ECF filing system prevented me from filing defendants' reply papers on the evening of October 18th. *See* ECF Screen Prints, annexed hereto as Exhibit "A." After numerous attempts, I advised plaintiff's counsel of the electronic filing complication by email, and served defendants' reply by email and regular mail on October 18, 2019.

I filed defendants' reply today, as I was unable to do so over the weekend due to the above-mentioned error ECF error message. Pursuant to Your Honor's Individual Rules, defendants will prepare a courtesy copy set of the fully briefed summary judgment motion for delivery to the Court.

HONORABLE NICHOLAS G. GARAUFIS

United States District Judge

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Defendants thank the Court for its consideration of this matter.

Respectfully submitted,

[ECF] /S/

Cassandra N. Branch
Assistant Corporation Counsel

Encl.: ECF Screen Prints (Exhibit "A")

cc: **GLASS & HOGROGIAN, LLP**

Attorneys for Plaintiff

(By ECF)